



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF SEPTEMBER 19, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT

Consent Discussion

SUBJECT: Discussion and possible action regarding request to waive business licensing regulations, LVMC 6.44.100 (E) (carriage seatbelts) and LVMC 6.44.110 (A)(6) (horse acclimation to street noise), Las Vegas Carriage, LLC, 1060 South Main Street, Robert Humphreys, Mgr, Kevin Smith, Mgr, Mark Smith, Mgr, Ward 3 (Reese) [NOTE: The carriage route overlaps into Ward 5]

Fiscal Impact

- No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

Las Vegas Carriage, LLC is requesting consideration from the City Council to waive the requirement of LVMC 6.44.100 (E) which requires the horse drawn carriages shall be equipped with seat belts for all passengers and LVMC 6.44.110 (A) (6) which requires that each animal must be acclimated to street noises.

RECOMMENDATION:

No recommendation will be provided.

BACKUP DOCUMENTATION:

None

Motion made by RICKI Y. BARLOW to Strike

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
RICKI Y. BARLOW, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, LOIS TARKANIAN, LARRY BROWN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-STEVE WOLFSON)

Minutes:

JIM DiFIORE, Manager of Business Services, restated the information contained under the Subject section. CITY ATTORNEY JERBIC pointed out that Chapter 6.44.110 of the Las Vegas Municipal Code leaves little room for waiver. If the waiver is granted, the City could be the center of a lawsuit or liability. He recommended striking this matter.

COUNCILMAN ROSS commented that it is challenging for a veterinarian to affirm that an animal is acclimated to street noises. Also, requiring seatbelts could make it difficult for

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passengers to quickly evacuate a carriage. It is a service that will be great for the area, but he felt inclined to support the City Attorney, until an ordinance amendment is made.

MR. HUMPHREYS said that no insurance company will insure him because of the seatbelt requirement. MAYOR GOODMAN commented that the current law exists because there was a serious accident years ago. COUNCILMAN BARLOW said he had to consider the comments of his City Attorney and strike this matter

MR. DiFIORE interjected that staff is already working on an amendment.

